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January 30, 2014

VIA ECF

Magistrate Judge Vera M. Scanlon
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201
Via ECF

Re: *State of New York v. West Side Corp., et al.*
U.S. Dist. Ct., E.D.N.Y. Index No. CIV 07-4231 (ENV)(VMS)

Dear Magistrate Scanlon:

This office represents the Plaintiff State of New York (the “State”) in the above-referenced action. I am writing on behalf of all the parties to apprise the Court of the progress of settlement negotiations in this case pursuant to the Court’s Scheduling Order dated August 20, 2013, and in response to the Court’s docket entry on December 13, 2013 requesting a joint status report.

The parties have resolved all outstanding issues and the settlement decree is with Department of Environmental Conservation (“DEC”) management for approval. While additional changes are always possible during management review either at DEC or the Attorney General’s Office, I am optimistic that those changes, if any, will be easily resolved given the months of good-faith negotiations that have taken place to date between the parties. I hope to receive feedback from DEC management within a few days, after which the decree will go to management at the Attorney General’s Office.

The parties thank the Court for its patience as this matter is resolved and believe that the process is very near to resolution.

Respectfully submitted,

✓ Janice A. Dean

Janice A. Dean
Assistant Attorney General

cc: Joshua M. Levy, Esq. (via ECF)
Edna Sussman, Esq. (via Electronic Mail)
Gerald P. Lepp, Esq. (via Electronic Mail)